

30.03.2023.
34.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 274 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak P. S. Case No.269 of 2022 dated 14.03.2022 under Sections 363/365 of the Indian Penal Code and adding Section 4 of the POCSO Act.

In the matter of : Sakim Sk @ Sakil.

.... Petitioner.

Mr. Mrityunjoy Chatterjee,
Mr. Debapriya Majumder.

...for the Petitioner.

Mr. S. S. Imam, Jr. Govt. Adv.,
Mr. R. Jana.

...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. Evidence of the minor has been recorded. Her evidence is exonerative.

In view of the aforesaid development and the period of detention suffered by the petitioner i.e. more than a year, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner Sakim Sk @ Sakil shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under the POCSO Act, Malda subject to condition that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall

be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)